

PROB 12B
(7/93)**United States District Court**

Report Date: February 25, 2011
 FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

for the

FEB 28 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK
 DEPUTY
 SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
 with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Shawn David Collins

Case Number: 2:11CR00016-001

Name of Sentencing Judicial Officer: The Honorable Frank Montalvo, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 12/1/2008

Type of Supervision: Supervised Release

Original Offense: Conspiring to Import a Quantity of
 Marijuana > 50 kilograms, 21 U.S.C. §§ 952, 960 and
 963

Date Supervision Commenced: 2/25/2011

Original Sentence: Prison - 33 Months; TSR - 36
 Months

Date Supervision Expires: 2/24/2014

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 24 You shall abstain from the use of illegal controlled substances and alcohol, and shall submit to urinalysis and Breathalyzer testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Shawn Collins was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Collins has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/25/2011

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

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THE COURT ORDERS

- No Action
 The Extension of Supervision as Noted Above
 The Modification of Conditions as Noted Above
 Other

L. Hunter

Signature of Judicial Officer

2/28/11

Date